

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LYNDA GOMEZ, individually and on behalf of all others similarly situated, )  
vs. )  
Plaintiff, ) Case No. 08 C 3042  
vs. )  
Judge Lefkow  
Magistrate Judge Brown  
MIDLAND FUNDING, LLC; MIDLAND )  
CREDIT MANAGEMENT, INC.; and )  
BLATT, HASENMILLER, LEIBSKER & )  
MOORE, LLC, )  
Defendants. )

**DEFENDANTS' THIRD UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

NOW COME Defendants Midland Funding, LLC, Midland Credit Management, Inc. (collectively "Midland"), and Blatt, Hasenmiller, Leibske & Moore, LLC ("Blatt") (collectively "Defendants"), by and through their undersigned counsel, and for their Third Motion for Extension of Time to Respond to Plaintiff's Complaint, state as follows:

1. Defendant Blatt's responsive pleading in this case was originally due on June 23, 2008, and Midland's responsive pleading was originally due on June 30, 2008.
2. On June 26, 2008, this Court granted Defendants an additional 28 days, through July 21, 2008, to file their responsive pleadings.
3. On July 18, 2008, Defendants' filed a second unopposed motion for an extension of time to file responsive pleadings in order to further review the file and also explore settlement possibilities. This Court granted that motion and gave Defendants until August 25, 2008 to file their responsive pleadings.

4. Since that time, Defendants' counsel voluntarily provided documents to Plaintiff's counsel demonstrating that Plaintiff's claim is not viable. Defendant's counsel has requested that Plaintiff's counsel voluntarily dismiss the case in light of this documentation. Plaintiff's counsel indicated that he is discussing the issue with his client and that he will make a determination shortly.

5. In order to avoid the expense of filing a response to a complaint that may be voluntarily dismissed, Defendants request an additional fourteen (14) days to file responsive pleadings, on or before September 8, 2008.

6. Plaintiff's counsel does not oppose this motion for an extension.

WHEREFORE, Defendants respectfully request that this Court grant an extension of time, up to and including September 8, 2008, for Defendants to answer or otherwise plead to Plaintiff's Complaint.

Dated: August 19, 2008

Respectfully Submitted,

MIDLAND FUNDING, LLC; MIDLAND CREDIT MANAGEMENT, INC.; and BLATT, HASENMILLER, LEIBSKER & MOORE, LLC,

By: s/Brian P. O'Meara  
One of its Attorneys

David L. Hartsell  
Brian P. O'Meara  
McGUIREWOODS LLP  
77 W. Wacker Drive, Ste. 4100  
Chicago, Illinois 60601-1815  
(312) 849-8100  
(312) 849-3690 (fax)  
[dhartsell@mcguirewoods.com](mailto:dhartsell@mcguirewoods.com)  
[bomeara@mcguirewoods.com](mailto:bomeara@mcguirewoods.com)

Gregory R. Dye  
BLATT, HASENMILLER, LEIBSKER &

MOORE, LLC  
125 S. Wacker Drive, Ste. 400  
Chicago, Illinois 60606  
(312) 704-9333  
(312) 704-9430 (fax)  
gdye@bhlmlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2008, I filed the foregoing **DEFENDANTS' THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Keith J. Keogh  
Alexander H. Burke  
LAW OFFICES OF KEITH J. KEOGH, LTD.  
227 W. Monroe Street  
Suite 2000  
Chicago, Illinois 60606  
keith@keoghlaw.com  
aburke@keoghlaw.com

s/Brian P. O'Meara